

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

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|------------------------|---|------------------------------|
| CHRISTINE ALBRECHT |) | CASE NO. 1:14 CV 2116 |
| |) | |
| |) | |
| Plaintiff, |) | JUDGE DAN AARON POLSTER |
| |) | |
| v. |) | |
| COMMISSIONER OF SOCIAL |) | <u>MEMORANDUM OF OPINION</u> |
| SECURITY, |) | <u>AND ORDER</u> |
| |) | |
| Defendant. |) | |

Before the Court is the Report and Recommendation (“R&R”) of Magistrate Judge Greg White issued and served on counsel for Plaintiff Christine Albrecht via the Court’s electronic filing system on July 24, 2015 (**ECF No. 16**).

Plaintiff seeks judicial review of the decision of the Commissioner of Social Security denying her application for Disability Insurance Benefits and Supplementary Security Income. The Magistrate Judge recommends affirming the Commissioner’s decision and dismissing Plaintiff’s complaint.

Under the relevant statute:

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

28 U.S.C. § 636(b)(1) (emphasis added). In this case, more than 21 days have elapsed since the R&R was issued, and Plaintiff, who is represented by counsel, has filed neither an objection nor a request for an extension of time to file one.

The failure to timely file written objections to an R&R constitutes a waiver of a de novo determination by the district court of an issue covered in the report. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

Despite the lack of objection, the Court has reviewed the Magistrate Judge's thorough, well-written R&R, agrees with the Magistrate Judge's findings, and **ADOPTS** the Magistrate Judge's recommendation that the Commissioner's decision be **AFFIRMED** and the complaint **DISMISSED**.

IT IS SO ORDERED.

/s/ Dan A. Polster August 17, 2015
Dan Aaron Polster
United States District Judge